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July 24, 2017

VIA EMAIL

National Freedom of Information Officer
U.S. Environmental Protection Agency, Region X
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

Re: Freedom of Information Act Request

Dear FOIA Administrator:

This is a Freedom of Information Act Request pursuant to 5 U.S.C. § 552. I request that a copy of the following document(s) be provided to me:

- Any and all documents received in response to CERCLA Section 104(e) Information Request letters that EPA sent to entities in connection with the Lower Duwamish Waterway Superfund Site, Harbor Island Superfund Site, and East and West Waterways, certain of which entities are identified in Exhibit A hereto;
- Any and all documents received in response to General Notice Letters that EPA sent to entities in connection with the Lower Duwamish Waterway Superfund Site, Harbor Island Superfund Site, and East and West Waterways, certain of which entities are identified in Exhibit B hereto; and
- Any and all documents concerning TSCA/PCB annual inspections for the 73 facilities identified in the following table, each of which is located in the City of Seattle:

| # | Entity Name | Facility Address | Zip Code |
|---|----------------------------------|--------------------------|----------|
| 1 | Air Force, GSA Warehouse, Slip 1 | 4735 East Marginal Way S | 98134 |
| 2 | Airgas USA | 7700 14th Avenue S | 98108 |
| 3 | Alaska Cargo Transport | 6700 W Marginal Way SW | 98106 |

| # | Entity Name | Facility Address | Zip Code |
|----|---|---|----------|
| 4 | Alaska Marine Lines, Inc. | 5615 and 5658 W Marginal Way SW | 98106 |
| 5 | Alaska Railbelt Marine, LLC | 5615 W Marginal Way SW | 98124 |
| 6 | Aloha Cargo Transport, Inc. | 6700 W Marginal Way SW | 98106 |
| 7 | Ash Grove Cement West Inc. | 3801 E Marginal Way S | 98134 |
| 8 | Avalon Power Station | 35th Avenue SE and SW Ge | 98124 |
| 9 | Blaster Die Casting | 5700 3rd Avenue S | 98108 |
| 10 | Boeing Company, The | 7500 E Marginal Way S | 98108 |
| 11 | Bowhead Holding Co. | 1011 SW Klickitat Way | 98134 |
| 12 | Boyer Logistics, Inc. | 7318 4th Avenue S | 98108 |
| 13 | BP Harbor Island Terminal (ARCO Products) | 1652 SW Lander | 98124 |
| 14 | Cascade Columbia Distribution Co. | 6900 Fox Avenue S | 98108 |
| 15 | Ceradyne Viox Corp. | 6701 6th Avenue | 98108 |
| 16 | Chemical Processors Inc. / Burlington Environmental, Inc. | 2203 Airport Way S | 98134 |
| 17 | Coast Guard (Seattle Base) | 1519 Alaskan Way South | 98134 |
| 18 | Crosby & Overton Inc. | 3406 13th SW | 98134 |
| 19 | Crowley Environmental Services / Crowley Marine Services | 7400 8th Ave S | 98108 |
| 20 | Delridge Power Station | 5601 23rd Avenue SW | 98124 |
| 21 | Duwamish Marine Center | 6365 1st Avenue South | 98108 |
| 22 | Eastern Electrical Apparatus Repair | 10831 E Marginal Way S | 98168 |
| 23 | Ecolights Northwest / Lone Dog Investments, LLC | 1915 South Corgiat Drive | 98108 |
| 24 | Emerald Services, Inc. | 7343 E Marginal Way S | 98108 |
| 25 | Emerald Services, Inc. | 1500 Airport Way S | 98134 |
| 26 | Federal Warehouse | 1555 Alaskan Way S | 98134 |
| 27 | Foss Environmental Service Co. | 7440 W Marginal Way South | 98108 |
| 28 | General Biodiesel Seattle LLC | 6333 1st Avenue S | 98108 |
| 29 | General Transport Co. | 2937 13th Avenue SW | 98134 |
| 30 | Graham Trucking Inc. | 722 S Chicago Street | 98108 |
| 31 | High Point Power Station | 3405 SW Graham Street | 98124 |
| 32 | Independent Metals, Plant 1 | 703 and 747 S Monroe St | 98108 |
| 33 | Independent Metals, Plant 2 | 816 S Kenyon Street; 7760 and 7814 8th Avenue S | 98108 |
| 34 | International Lubricants, Inc. | 410 S 96th Street, Building 7 | 98108 |
| 35 | International Lubricants, Inc. | 7930 Occidental Avenue S | 98108 |
| 36 | Kinder Morgan Harbor Island Terminal | 1733 Alaskan Way S | 98134 |
| 37 | Kinder Morgan Liquids Terminals LLC | 2720 13th Avenue SW | 98134 |
| 38 | King Cnty Metro Transit Power Distribution HQ | 2255 4th Avenue SW | 98134 |
| 39 | KTR Assoc. LLC | 9411 8th Avenue South | 98108 |
| 40 | Lafarge Cement Company | 5400 W Marginal Way SW | 98106 |
| 41 | Lockheed Shipbuilding and Construction Company | 2929 16th Avenue Southwest | 98134 |
| 42 | Long Services Corporation | 8230 5th Avenue South | 98108 |
| 43 | Malarkey Asphalt Co. | 8700 Dallas Avenue South | 98108 |
| 44 | Morgan Power Station | 4118 SW Morgan Street | 98124 |

| # | Entity Name | Facility Address | Zip Code |
|----|--|------------------------------------|----------|
| 45 | Northland Services, Inc. | 6700 W Marginal Way SW | 98106 |
| 46 | Nucor Steel Seattle Inc. | 2424 SW Andover Street | 98106 |
| 47 | Old Rainier Brewery | 3100 Airport Way S | 98134 |
| 48 | Organic Fuel Processors | 7343 E Marginal Way S | 98108 |
| 49 | Pacific Iron and Metals | 2230 4th Avenue S | 98134 |
| 50 | Philip Environmental Inc. dba Burlington | 734 South Lucile Street | 98108 |
| 51 | Port of Seattle (Terminal 117) | 8700 Dallas Avenue South | 98108 |
| 52 | Port of Seattle (Terminal 18) | 2400 11th Avenue SW | 98134 |
| 53 | Port of Seattle Leckenby Co. | 11th Avenue SW Terminal 18D | 98134 |
| 54 | Puget Sound Truck Lines | 7303 8th Avenue S | 98104 |
| 55 | Samson Tug and Barge | 6702 W Marginal Way SW | 98106 |
| 56 | Seattle City Light, Andover Power Station | 2100 SW Andover Street | 98124 |
| 57 | Seattle City Light, Dumar Power Station | 1605 SW Holden Street | 98124 |
| 58 | Seattle Iron and Metals Corp. | 2955 11th Avenue SW | 98134 |
| 59 | Selig Holdings, LLC | 2901 3rd Avenue S | 98121 |
| 60 | Sternoff Metals | 7116 and 7201 East Marginal Way S. | 98108 |
| 61 | Sun Food Trading Company | 4715 6th Ave S | 98108 |
| 62 | Titus-Will Inc. | 4400 4th Avenue South | 98134 |
| 63 | Todd Pacific Shipyards Corporation | 1801 16th Avenue SW | 98134 |
| 64 | Total Reclaim, Inc. | 2200 Sixth Avenue South | 98134 |
| 65 | Trans-Artic, Ltd. | 2440 SW 151st | 98166 |
| 66 | United Marine Shipbuilding Harbor Ave (Pier 1) | 2130 Harbor Ave SW | 98126 |
| 67 | Warehouse Loading | 2200 Sixth Avenue South | 98134 |
| 68 | Washington State Department of Transportation | 6431 Corson Avenue | 98108 |
| 69 | Washington Trucking Association | 4101 4th Avenue S | 98143 |
| 70 | West Coast Trucking | 3433 Airport Way S | 98134 |
| 71 | West Pac Environmental | 54 S Dawson Street | 98134 |
| 72 | Western Waterproofing Company | 4429 Airport Way S | 98108 |
| 73 | Westinghouse Electric Corp. | 10831 E Marginal Way S | 98124 |

- Any and all documents concerning the following Early Action Areas (“EAA”) in the City of Seattle:

| # | Site Name | Address | Facility ID |
|---|---|-----------------------|------------------------|
| 1 | Boeing Company, Plant 2 | 7500 E Marginal Way S | Facility Site ID #2100 |
| 2 | Duwamish/Diagonal EAA | | Facility ID #4297743 |
| 3 | Jorgensen Forge | 8531 E Marginal Way S | Facility ID #2382 |
| 4 | Port of Seattle, Terminal 117 | 8700 Dallas Avenue S | Facility ID #2202 |
| 5 | Norfolk Combined Sewer Overflow/Storm Drain | | |
| 6 | Slip 4 (including, but not limited to, any | 7400 8th Avenue S | Facility ID |

| | | | |
|--|--|--|-----------|
| | documents pertaining to the following facilities: Georgetown Steam Plant (Georgetown Flume); Crowley Marine Service, Inc.; North Boeing Field; King County International Airport; and First South Properties / Emerald Services) | | #29959714 |
|--|--|--|-----------|

When responding to this request, please review records—including enforcement files and Section 104(e) responses for (a) Harbor Island Superfund Site, (b) East Waterway, and (c) Lower Duwamish Waterway Superfund Site. Also, please provide responsive records for these facilities from the following federal programs: (i) NPDES; (ii) RCRA; (iii) CERCLA; (iv) TSCA.

- Any and all Remedial Investigation/Feasibility Study (“RI/FS”), Remedial Action reports and Remedial Design reports for the Harbor Island Operable Units.
- Any and all documents concerning the release and cleanup of PCBs at the GSA Dock at Slip 1 of the Lower Duwamish Waterway.
- Any and all documents concerning settlements or consent decrees by and between U.S. EPA and the City of Seattle and/or King County concerning the Duwamish River, including without limitation communications by the City of Seattle, King County and U.S. EPA concerning such settlements or consent decrees.
- Any and all documents concerning comments submitted in connection with the Lower Duwamish Waterway Superfund Site—including without limitation, comments submitted by the City of Seattle during the Remedial Investigation/Feasibility Study (“RI/FS”) process—and responses to comments provided by U.S. EPA and/or other responding entities.

For purposes of this request:

1. The terms “and” and “or” are used herein as terms of inclusion and not of exclusion and shall have both conjunctive and disjunctive meanings, and the words “any” and “all” mean each and every.
2. The term “documents” shall mean any and all public records as defined under the Washington Public Disclosure Act, including without limitation reports, records, drafts, letters, memoranda, notes, communications, inspection reports, logs, tables, spreadsheets, books, photographs, electronic files, emails, facsimiles, diagrams, documents, and every other means of recording upon any tangible thing any form of communication or representation.
3. The term “PCB” or “PCBs” means polychlorinated biphenyls, including any individual chlorinated diphenyl congener, and any product or mixture that incorporates any polychlorinated biphenyl, including, without limitation, Askarel, Aroclor, Interteen, Pydraul, Pyralene, Pyranol, and Therminol FR.

4. The term “person” means any natural person, firm, association, organization, partnership, trust, corporation, governmental entity, or other entity of any type, nature or description.
5. The terms “relating to” or “concerning” mean in whole or in part to discuss, describe, reflect, memorialize, contain, analyze, study, report on, comment on, evidence, constitute, embody, identify, state, consider, recommend, set forth, concern, address, deal with or in any way pertain to.

To the extent any of the records responsive to this request are stored in electronic format, please also provide a copy of the records in their native electronic format on CD-ROM or other media that will enable us to load the records onto a computer. When providing electronic records, please include metadata.

Please supply the requested records without informing me of the cost if the fees do not exceed \$1,000.00, which I agree to pay as necessary. Otherwise, I ask that you notify me of any search or duplication costs exceeding \$1,000.00, so that I may decide which records I want copied.

If you are not the appropriate contact for this FOIA request, please let me know so that I may direct this request to the appropriate contact. If you deny any part of this request, please cite each specific reason that you believe justifies your refusal to release the information with respect to each document or category of documents refused. Please also notify me of any appeal procedures available under the law.

If you have any questions about this request, please contact me at robert.fernandez@thomsonreuters.com. Thank you for your time and attention to this matter.

Very truly yours,

/s/ Robert Fernandez

Robert Fernandez
of THOMSON REUTERS COURT EXPRESS